

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NPF FRANCHISING, LLC,

Plaintiff,

v.

SY DAWGS, LLC, *et al.*,

Defendants.

) CASE NO. 1:18 CV 277

)

) JUDGE DONALD C. NUGENT

)

) MAGISTRATE JUDGE

) WILLIAM H. BAUGHMAN, JR.

)

) **REPORT & RECOMMENDATION**

)

8/9/18

R & R adopted
w/out objection.
W. H. Baughman, Jr.

Introduction

Before me by referral¹ in the matter of NPF Franchising, LLC's diversity action for breach of contract against SY Dawgs, LLC, *et al.*,² is a motion by the defendants for attorney fees, costs, and expenses³ arising out this Court's decision denying NPF's motion for a preliminary injunction.⁴ NPF opposes the motion⁵ and SY Dawgs has replied to that opposition.⁶ For the reasons that follow, I recommend that the defendants' motion for attorney fees, costs, and expenses be denied without prejudice.

¹ECF # 71.

²ECF # 54 (second amended complaint).

³ECF # 59.

⁴ECF # 51 (Order adopting Report and Recommendation at ECF # 48).

⁵ECF # 61.

⁶ECF # 66.